UNITED STATES DISTRICT COURT SOUTHERN DISTRICT OF OHIO EASTERN DIVISION

Eugene Green,

Petitioner,

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Case No. 2:09-cv-999

Jesse Williams, Warden, Oakwood Correctional Facility, Judge Michael H. Watson

Respondent.

<u>ORDER</u>

On October 15, 2010, the United States Magistrate Judge issued a *Report and Recommendation* recommending that petitioner's claim for relief under 28 U.S.C. § 2254 be dismissed as without merit. *Report and Recommendation*, Doc. No. 9. Although the parties were advised of their right to object to the *Report and Recommendation*, and of the consequences of their failure to do so, there has been no objection to the *Report and Recommendation*.

The Report and Recommendation is **ADOPTED AND AFFIRMED**. The petition is **DISMISSED**.

The Clerk is **DIRECTED** to enter **FINAL JUDGMENT** in this action.

IT IS SO ORDERED.

MICHAEL H. WATSON, JUDGE UNITED STATES DISTRICT COURT